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Viewing cable 09STATE30114, USUN INSTRUCTION: IRAN SANCTIONS COMMITTEE

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Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
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Reference ID	Created	Released	Classification	Origin
09STATE30114	2009-03-29 20:42	2011-08-30 01:44	CONFIDENTIAL	Secretary of State

Appears in these articles:

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E.O. 12958: DECL: 03/26/2019
TAGS: [PARM](#) [IR](#) [UNSC](#) [MNUC](#) [ETTC](#) [KNNP](#) [SY](#) [CY](#)
SUBJECT: USUN INSTRUCTION: IRAN SANCTIONS COMMITTEE
EFFORTS ON MONCHEGORSK

REF: USUN 305

Classified By: IO Acting A/S James B. Warlick for reasons
1.4 (b) and (d)

1. (U) This is an action request.

2. (C) Washington concurs with USUN's proposed approach
(reftel) for next steps in the Iran Sanctions Committee

with regard to the M/V Monchegorsk incident.

13. (C) ACTION REQUEST: Mission is instructed to engage the UK and France on possible next steps in the Iran Sanctions Committee and propose the Chairman of the Committee (Japan) send a Note Verbale to all UN Member States providing information on the Monchegorsk incident and urging enhanced vigilance over possible future violations. Mission should also propose the Chairman send a final round of letters to Cyprus, Iran, and Syria. Mission should use the texts included in paragraphs 4-7 below as a basis for discussion and further development with the UK and France.

14. (SBU) Proposed text of Iran Sanctions Committee letter to all UN Member States:

On behalf of the Committee established pursuant to resolution 1737 (2006), I would like to share information with you regarding a recent violation of measures imposed in Security Council resolution 1747 (2007) regarding Iran. The Committee believes this information may help Member States carry out their international obligations with respect to resolutions 1737 (2006), 1747 (2007), and 1803 (2008), in particular to aid States in detecting and future violations.

In February 2009, a Member State shared with the Committee the results of an inspection of the cargo of the M/V Monchegorsk, a Cypriot-flagged vessel chartered by the Islamic Republic of Iran Shipping Lines (IRISL). These inspections revealed arms-related materiel, including items described as "bullet shells," "Gun H.E. [High Explosive] Full Charge," "125 mm Gun APFSDS [Armor Piercing Fin-Stabilizing Discarded Sabot]" and "HEAT [High Explosive Anti-Tank]. The ship's manifest indicated that the cargo was being transferred from Bandar Abbas (Iran) to Latakia (Syria). This transfer was in violation of paragraph five of resolution 1747 (2007), which states:

"Iran shall not supply, sell or transfer directly or indirectly from its territory or by its nationals or using its flag vessels or aircraft any arms or related materiel, and that all States shall prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran."

Paragraph five of resolution 1747 (2007) clearly applies to conventional arms and related materiels. The Member State that reported this violation, in accordance with its international obligations, has since retained, unloaded and stored the cargo. The Committee requested from the transferring and procuring states additional relevant information about this transaction, but regretfully no such information was provided.

In light of this incident, the committee urges all Member States to redouble their efforts to ensure full implementation of resolutions 1737 (2006), 1747 (2007), and 1803 (2008). In particular, the Committee recommends Member States be especially alert for additional violations that might occur in similar circumstances to the case described above.

The Committee would also like to call your attention to the involvement of IRISL in transporting goods prohibited under resolution 1747 (2007). In this regard, the Committee would like to recall that in resolution 1803 (2008) the Security Council called upon all States to inspect the cargoes to and from Iran of vessels owned or operated by IRISL, provided there are reasonable grounds to believe that the vessel is transporting goods prohibited under resolutions 1737 (2006), 1747 (2007), and 1803 (2008). The Committee therefore urges Member States to exercise extra vigilance with respect to IRISL's role in violations of these resolutions.

The Committee further calls upon all Member States to share - on a confidential basis, if necessary - information regarding alleged violations of the measures imposed in these resolutions. The Committee intends to take seriously its mandate to examine and take appropriate action on such information. The Committee remains available to answer inquiries from Member States about the obligations imposed by these resolutions.

15. (SBU) Proposed text of Iran Sanctions Committee letter to Cyprus:

Excellency (CYPRUS),

On behalf of the Committee established pursuant to resolution 1737 (2006), I am writing you regarding your letters to the Committee of February 3, February 12, and March 26 regarding Security Council resolutions 1737 (2006), 1747 (2007), and 1803 (2008).

The Committee would again like to express its appreciation for the information the Republic of Cyprus provided documenting the transfer of arms-related materiel from Iran to Syria aboard the Cypriot-flagged vessel M/V Monchegorsk. This information was useful to the Committee in carrying out its mandate to examine and take appropriate action regarding alleged violations of the measures contained in these Security Council resolutions. The Committee would also like to thank your government for its responsible decision, in line with Cyprus' international obligations, to retain the cargo.

After reviewing the information provided to the Committee by the Republic of Cyprus, the Committee has confirmed that this transfer was indeed in violation of paragraph five of resolution 1747 (2007). As a violation of resolution 1747, the cargo should not be transferred to Syria nor returned to Iran. In line with its mandate to examine and take appropriate action regarding alleged violations of the measures imposed in the relevant Security Council resolutions, the Committee provided the parties involved an opportunity to provide additional relevant information regarding this transaction. The Committee is now in the process of notifying Member States to be alert for possible future violations in similar circumstances.

The Committee remains interested in receiving any additional information you may have uncovered regarding the cargo, such as further relevant details about the ownership of the goods. The Committee has a particular interest in knowing whether any of the cargo may be linked to individuals or entities designated in the annexes of Security Council resolutions 1737 (2006), 1747 (2007), and 1803 (2008).

The Committee encourages the Republic of Cyprus to continue to detain the cargo pending further investigation. Additionally, the Committee would also appreciate any efforts by the Republic of Cyprus to explore options for other Member States or relevant regional organizations to assist in the storing, safe-keeping, or disposing of the cargo.

16. (SBU) Proposed text of Iran Sanctions Committee letter to Iran:

Excellency (IRAN),

On behalf of the Committee established pursuant to resolution 1737 (2006), I am writing you regarding the measures imposed by Security Council resolutions 1737 (2006), 1747 (2007), and 1803 (2008).

The Committee regrets that you did not reply to our request for information regarding the transfer of arms-related materiel from Iran aboard the M/V Monchegorsk. As the Committee noted in its letter of

March 9, this transfer was in violation of paragraph five of Security Council resolution 1747 (2007), which states:

"Iran shall not supply, sell or transfer directly or indirectly from its territory or by its nationals or using its flag vessels or aircraft any arms or related materiel, and that all States shall prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran."

The Committee would like to recall that under Article 25 of the UN Charter, all Member States are obligated to "accept and carry out the decisions of the Security Council." In light of this incident, the Committee requests that Iran redouble its efforts to ensure full compliance with the provisions of these resolutions.

The Committee would welcome at any time information from Iran that may assist the Committee in carrying out its mandate to examine and take appropriate action regarding alleged violations of the measures imposed in relevant Security Council resolutions.

17. (SBU) Proposed text of Iran Sanctions Committee letter to Syria:

Excellency (SYRIA),

On behalf of the Committee established pursuant to resolution 1737 (2006), I am writing you regarding the measures imposed by Security Council resolutions 1737 (2006), 1747 (2007), and 1803 (2008) relating to Iran.

On March 9, the Committee invited you to provide any additional relevant information regarding the transfer of arms-related materiel aboard the M/V Monchegorsk from Iran to Syria. The Committee notes that in your response of March 18 you neither denied that Syria was attempting to procure arms-related materiel from Iran nor provided additional relevant information regarding this particular transaction.

As the Committee noted in its letter, this procurement of arms-related materiel from Iran was in violation of paragraph five of Security Council resolution 1747 (2007), which states:

"Iran shall not supply, sell or transfer directly or indirectly from its territory or by its nationals or using its flag vessels or aircraft any arms or related materiel, and that all States shall prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran."

The Committee would like to remind Syria that under Article 25 of the UN Charter, all Member States are obligated to "accept and carry out the decisions of the Security Council." In light of this incident, the Committee requests that Syria redouble its efforts to ensure full compliance with the provisions of these resolutions.

The Committee would welcome at any time information from Syria that may assist the Committee in carrying out its mandate to examine and take appropriate action regarding alleged violations of the measures imposed in relevant Security Council resolutions.

CLINTON